

# NOTICE OF PROPOSED RULE ADOPTION

## STATE OF MISSISSIPPI MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS

### BUREAU OF LAW ENFORCEMENT

MS Department of Wildlife, Fisheries and Parks  
c/o Sam Polles, Ph.D., Executive Director  
1505 Eastover Drive  
Jackson, MS 39211-6374  
(601) 432-2400  
Sharon@mdwfp.state.ms.us

Specific Legal Authority authorizing the Promulgation of  
Rule: 41-1-29-; 25-43.3.103  
49-7-31(e)(vi)

Reference to Rules repealed, amended or suspended by the  
Proposed Rule: New Public Notice LE-3761(I)

#### Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule:

Concerning fluorescent orange/fully enclosed deer stand

This rule is proposed as a ☒ Final Rule, and/or a ☐ Temporary Rule (Check one or both boxers as applicable.)

Persons may present their views on the proposed rule by addressing written comments to the agency at the above address. Persons making comments should include their name and address, as well as other contact information, and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

#### Oral Proceeding:

Check one box below:

- ☐ An oral proceeding is scheduled on this rule on  
Date: June 30, 2005  
Time: 8:30 am  
Place: 1505 Eastover Drive, Jackson, MS 39211

If you wish to be heard and present evidence at the oral proceeding you must make a written request to the agency at the above address at least five (5) days prior to the proceeding to be placed on the agenda. The request should include your name, address, telephone number as well as other contact information; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

- ☐ An oral proceeding is not scheduled on this rule. Where an oral proceeding is not scheduled, an oral proceeding will be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address and telephone number of the person(s) making the request; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

#### Economic Impact Statement: Check one box below:

- ☒ The agency has determined that an economic impact statement is not required for this rule, or  
☐ The concise summary of the economic impact statement required is attached.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Date Rule Proposed: June 30, 2005  
Proposed Effective Date: 9-1-05

  
Sam Polles, Ph.D., Executive Director

MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS  
1505 EASTOVER DRIVE  
JACKSON, MISSISSIPPI 39205

PUBLIC NOTICE LE-3761 (I)

TO: The Honorable Eric Clark  
Secretary of State  
P.O. Box 136  
Jackson, MS 39205

AND

ALL INTERESTED PERSONS

The Mississippi Commission on Wildlife, Fisheries and Parks at a meeting in Jackson, Mississippi on June 30, 2005 under authority of Section 25-43-3.103, Mississippi Code of 1972, made known its intent to adopt the following regulations concerning fluorescent orange. This was done under authority of Sections 49-7-31(e)(vi), Mississippi Code of 1972.

For the purpose of Miss. Code Ann. §49-7-31(e)(vi), a fully enclosed deer stand is defined as:

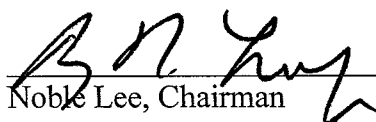
any ground level or elevated shooting house having four connected sides and a roof, that hides or conceals the hunter from casual observation.

It is the intent of the Commission that this definition shall apply to "shooting houses" whether located on the ground or elevated above ground, having four connected sides and a roof that hides or conceals hunters from view of game or other hunters.

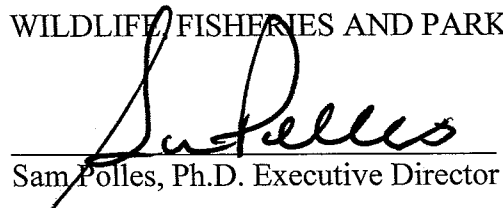
Although hunters are not required to wear the 500 square inches of hunter orange while hunting in the above described stands, they must comply with the requirement when traveling to and from the stands.

Anyone wishing to comment on the above proposed action may do so in writing to the Executive Director, Mississippi Department of Wildlife, Fisheries and Parks, 1505 Eastover Drive, Jackson, MS 39211-6374 no later than August 29, 2005.

MISSISSIPPI COMMISSION ON  
WILDLIFE, FISHERIES AND PARKS

  
Noble Lee, Chairman

MISSISSIPPI DEPARTMENT OF  
WILDLIFE, FISHERIES AND PARKS

  
Sam Polles, Ph.D. Executive Director